IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 166 of 2004

CHANDRA SEN

V/S

PRAHLAD

Mr. RAKESH ARORA, for the appellant / petitioner

Mr. SN Bhatt, for the respondent

Date of Order : 3.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties. Perused the impugned judgments and record.

In my view the finding recorded by the learned appellate court on the question of reasonable and bonafide necessity taking on account of subsequent event of plaintiff having raised construction on the upper storey and plaintiff's son having got job outside, and finding that the plaintiff has failed to prove the reasonable and bonafide necessity, are all pure finding of fact, and are not satisfactorily shown to have been vitiated on any of the grounds available under Section 100 C.P.C.

The appeal thus does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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